

REMARKS

Applicants respectfully request entry of the amendments and remarks submitted herein. Claims 1, 3 and 14-19 have been amended herein, and claim 20 has been canceled without prejudice to continued prosecution.

Claims 1-19 and 21 are currently pending. Reconsideration of the pending application is respectfully requested.

The 35 U.S.C. §102 Rejections

Claims 1-6, 12, 14, 15, 16, and 17 stand rejected under 35 U.S.C. §102(b) as being anticipated by Vidal et al. (U.S. Patent No. 4,338,343). According to the Examiner, Vidal et al. discloses a method of treating grains such as corn or sorghum using ammonium bisulfite and thiosulphate. The Examiner asserted that Vidal et al. anticipates pending claim 1. This rejection is respectfully traversed.

Without acquiescing to the Examiner's rejection, Applicants have amended independent claim 1 herein to clarify the invention. Specifically, claim 1 has been amended to further include the step of wet processing or wet milling the agent-treated corn and/or millet(s) or parts thereof. Vidal et al. is directed toward sterilizing grain for storage purposes, and Vidal et al. does not teach or suggest wet processing or wet milling the grain following the treatment described.

In view of the amendments and remarks herein, Applicants respectfully request that the rejection of claims 1-6, 12, 14, 15, 16, and 17 under 35 U.S.C. §102(b) be withdrawn.

The 35 U.S.C. §103 Rejections

Claims 7-11, 13, and 18-21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Vidal et al. According to the Examiner, the additional forms of sulfur-containing compounds are obvious variants of the thiosulphate disclosed by Vidal et al., absent anything new or unobvious. This rejection is respectfully traversed.

Without acquiescing to the Examiner's rejection, Applicants have amended independent claim 1 as indicated above to clarify the invention. Specifically, Vidal et al. does not teach or suggest wet processing or wet milling of the treated grain.

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In view of the amendments and remarks herein, Applicants respectfully request that the rejection of claims 7-11, 13, and 18-21 under 5 U.S.C. §103(a) be withdrawn.

CONCLUSION

Applicants respectfully request that claims 1-19 and 21 be allowed. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

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